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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,443	09/29/2000	Tanmoy Dutta	MSFT-0204/155639.1	4418

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,443

Applicant(s)

DUTTA ET AL.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/12/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-28 are presented for the examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-8 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

3. Claim 1 is directed to method steps, which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. Moreover, each of the claimed steps, inter alia, providing, maintaining and receiving can be practiced mentally in conjunctions with pen and paper. The claimed steps do not define a machine or computer implemented process (see MPEP 21061). Therefore, the claimed invention is directed to non-statutory subject matter. (The examiner suggests applicant to change "method" to "computer implemented method" in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-14, 16, 18-20, 22-25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polcyn et al (US patent 5,930,792) in view of Minow (US. Patent 6,418,464 B1).

5. As to claim 1, Polcyn teaches the invention substantially as claimed including: a server (Internet HTTP server, Fig. 1/ col 3, ln 15-67), at least one object (HTML documents, Fig. 1/ col 3, ln 15-67/ Fig. 3), one state selected (a given address link 0, col 3, ln 15-6 / the state mode, col 4, ln 1-50), a set of states (state machine, col 4, ln 1-45/links 0, 1,2,3,4,5,6, 7), state transitions (a state transition model labeled 60, col 30, ln 15-67), maintaining (col 1, ln 50-53), valid transaction (valid transaction, col 4, ln 1-50), indication of a current state of object (update itself as the current state or location of the requesting user, col 4, ln 26-50), a state selected(the state which indicates that the next tree document, col 2, ln 15-30), a request (a document request, col 4, ln 1-50), a second computer (the HTML browser 110, col 4, ln 1-50), an indication of a current state (the state which indicates that the next tree document, col 2, ln 15-30), an indication of selected state transitions(the legal state transition , col 4, ln 1-50 perform ... based on selected state transactions(select the link to another document, col 3, ln 15-67).

6. Polcyn does not explicit teach the term cause the object to transition to another object state. However, Minow teaches cause the object to transition to another object state, object state (client to issuing the reaquest to the server, the completion object transitions from ready state 208 to completing state 212, col 8, ln 49-52), object state (ilde, ready, active, completing..., col 2, ln 52-55).

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7. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Polcyn and Minow because Minow's cause the object to transition to another object state would improve the efficiency of Polcyn's system by allowing the completion object to perform transition from one state to another by both the client and server.

8. As to **claim 2**, Polcyn teach a document (documents, col 3, ln 15-50).

9. As to **claim 3**, Polcyn teaches permissions granted (a legal state transistion, col 4, ln 1-26), the requestor (the request, col 4, ln 1-26).

10. As to **claim 6**, Minow teaches a request to transition to the object to another state (the client request to server 202 and changes the state from ready 208 to active 210, col 9, ln 45-65).

11. As to **claim 7**, Polcyn teaches the act of changing the state of object to the state (the link can be navigated to by any other link, col 3, ln 40-60/ one option is select a link to another document from displayed document, col 3, ln 20-38).

12. As to **claim 8**, Minow teaches (the table of states, table 1, col 7).

13. As to **claim 9**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

14. As to **claim 10**, Polcyn teaches a server (Internet HTTP server, Fig. 1/ col 3, ln 15-67), a data structure (the hierarchical menu, col 4, ln 43-67), at least one object (HTML documents, Fig. 1/ col 3, ln 15-67/ Fig. 3), a set of objects (HTML documents 1,2, 3,4, col 3, ln 20-40), object management system (application state machine, col 4, ln 1-40), one state selected (a given address link 0, col 3, ln 15-6 / the state mode, col 4, ln 1-50), a current state (state machine, col 4, ln 1-45/links 0, 1,2,3,4,5,6, 7), set of state transitions (a state transition model labeled 60, col 30, ln 15-67), an indication of at least the subset of transitions(valid transaction, col 4, ln 1-50),

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indication of a current state of object(update itself as the current state or location of the requesting user, col 4, ln 26-50), a state selected(the state which indicates that the next tree document, col 2, ln 15-30), a request (a document request, col 4, ln 1-50), a subset of transactions(the legal state transition , col 4, ln 1-50), transitions out of the current state(select the link to another document, col 3, ln 15-67).

15. Polcyn does not explicit teach the term cause the object to transition to another object state. However, Minow teaches cause the object to transition to at least another state, object state (client to issuing the request to the server, the completion object transitions from ready state 208 to completing state 212, col 8, ln 49-52), object state (ilde, ready, active, completing..., col 2, ln 52-55).

16. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Polcyn and Minow because Minow's cause the object to transition to another object state would improve the efficiency of Polcyn's system by providing the completion object of various states of completion of a client request.

17. **As to claim 11**, Polcyn teaches the current state (the state of the displayed document, col 3, ln 20-38), the at least one object (the displayed document, col 3, ln 20-38), selected state (a link to another document, col 3, ln 20-38), a transition between states (the valid transition, col 4, ln 1-25, a state transition mode, col 3, ln 40-63).

18. **As to claim 12**, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

19. **As to claim 13**, Polcyn teaches a server (the HTTP server, col 3, ln 15-40), a network (telephone network 12, col 3, ln 15-30).

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20. As to claim 14, Polcyn teaches the Internet (the internet, col 3, ln 15-40).

21. As to claims 16, 18, they are apparatus claims of claims 4, 8; therefore, they are rejected for the same reasons as claims 4, 8 above.

22. As to claim 19, it is an apparatus claim of claims 1 and 10; therefore, it is rejected for the same reasons as claims 1 and 10 above.

23. As to claims 20, 22, 23, they are apparatus claims of claims 2, 13, 14; therefore, they are rejected for the same reasons as claims 2, 13, 14 above.

24. As to claims 24, 25, 27, they are apparatus claims of claims 1, 2, 22; therefore, they are rejected for the same reasons as claims 1, 2, 2 above.

25. Claims 4, 21, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polcyn et al (US patent 5,930,792) in view of Minow (US. Patent 6,418,464 b1), as applied to claim 1 above, and further in view of APA (Admit Prior Art).

26. As to claim 4, Polcyn teaches the object (documents, col 3, ln 15-50). Polcyn and Minow do not teach operation. However, APA teaches operation (check-in, page 2, ln 10-21).

27. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Polcyn, Minow and APA because APA's check-in would improve the flexibility of Polcyn's system by allowing the client to access and manipulate the objects in a client-server environment.

28. As to claim 21, APA teaches the checkout operation (check-out operation, page 2, ln 10-22).

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29. As to **claim 26**, it is an apparatus claim of claim 21; therefore, it is rejected for the same reason as claim 21 above.

30. Claims 5, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polcyn et al (US patent 5,930,792) in view of Minow (US. Patent 6,418,464 b1), as applied to claim 1 above, in view of APA (Admit Prior Art) and further in view of Kato et al (method and device for expanding WW browser function).

31. As to **claim 5**, Polcyn, Minow and APA do not teach a local language of the requestor. However, Kato teaches response information from a server in a language that can be interpreted by the browser 300 (page 1).

32. It would have been obvious one of the ordinary skill in the art at the time the invention was made to combine the teaching of Polcyn, Minow, APA and Kato because Kato's a local language of the requestor would improve the integrity of Kato's system by allowing the ability to easily identify the responses information from the server to client.

33. As to **claim 17**, it is an apparatus claim of claim 5; therefore, it is rejected for the same reason as claim 5 above.

34. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Polcyn et al (US patent 5,930,792) in view of Minow (US. Patent 6,418,464 b1), as applied to claim 1 above, and further in view of Kirchner et al (US. Patent 6,263, 370).

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35. As to claim 28, Polcyn and Minow do not teach a TCP/IP based network. However, Kirchner teaches a TCP/IP based network and TCP/IP based network (TCP/IP client-server, col 1, ln 57-60).

36. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Polcyn, Minow and Kirchner because Kirchner's an TCP/IP based network would improve the efficiency of Kirchner's system by allowing a much simpler NIDS TCP/IP client-server interfaces to call center server computers.

Allowable Subject Matter

37. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

April 14, 2005


SUE LAO
PRIMARY EXAMINER